

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2245 of 2005.

IN

SECOND APPEAL ST.NO. 9612 OF 2005.

Office notes, office
memoranda of Coram,
appearances, Court's
orders or directions
and Registrar's orders.

Court's or Judge's orders.

Shri I.M.Khairdi for the Applicant.
Shri S.S.Salunkhe for the Respondent.

CORAM : ABHAY S.OKA, J.

DATED : 3rd May, 2006.

P.C.:

1. Heard the learned Advocates appearing for the parties. The application is opposed by the Advocate for the Respondent. However, considering the fact that the delay is of 507 days, the Respondent will have to be compensated by ordering payment of costs.

2. Hence Rule is made absolute in terms of prayer clause (b) subject to condition that the Applicant will pay costs of Rs.1500/- to the Respondent within a period of four weeks from today. Payment of costs will be a condition precedent.

Judge.